

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1025 be amended to read as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 22-4-11-4 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. **(a)** If the
- 4 commissioner finds that any employer has failed to file any payroll
- 5 report or has filed a report which the commissioner finds incorrect or
- 6 insufficient, the commissioner shall make an estimate of the
- 7 information required from the employer on the basis of the best
- 8 evidence reasonably available to the commissioner at the time and
- 9 notify the employer thereof by mail addressed to the employer's last
- 10 known address. **Except as provided in subsection (b),** unless the
- 11 employer files the report or a corrected or sufficient report, as the case
- 12 may be, within fifteen (15) days after the mailing of the notice, the
- 13 commissioner shall compute the employer's rate of contribution on the
- 14 basis of the estimates, and the rate determined in this manner shall be
- 15 subject to increase but not to reduction on the basis of subsequently
- 16 ascertained information.
- 17 **(b) The commissioner may adjust the amount of contribution**
- 18 **estimated in this manner on the basis of information ascertained**
- 19 **after the expiration of the notice period if the employer or other**
- 20 **interested party:**
- 21 **(1) makes an affirmative showing of all facts alleged as a**
- 22 **reasonable cause for the failure to timely file any payroll**
- 23 **report; and**
- 24 **(2) submits accurate and reliable payroll reports.**

(Reference is to HB 1025 as printed January 25, 2001.)

Representative Avery